

**REMARKS**

Claims 1-8 and 18-27 are all the claims presently pending in the application.

Claims 9-17 stand withdrawn as being directed to a non-elected invention. Claims 9-17 are canceled without prejudice or disclaimer to the filing of a divisional application directed to the subject matter of these claims.

While Applicant submits that all of the claims are patentable over the prior art of record, to expedite prosecution, claim 1 has been amended to define more clearly and particularly the features of the claimed invention.

Claim 6 is amended merely to rewrite the claim in independent form.

Claims 18-27 have been added to claim additional features of the invention. No new matter is added.

It is noted that the claim amendments are made only for more particularly pointing out the invention, and not for distinguishing the invention over the prior art, narrowing the claims or for any statutory requirements of patentability. Further, Applicant specifically states that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Claims 1-4 stand rejected under 35 U.S.C. § 102(B) as being anticipated by Scott, et al. (U.S. Patent No. 5,638,504).

Claim 5 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Scott in view of Astala (U.S. Patent No. 6,943,778).

Claims 6 and 7 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Scott in view of Caswell (U.S. Patent No. 4,642,459).

Claim 8 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Scott in view of Astala, and further in view of Caswell.

These rejections are respectfully traversed in the following discussion.

## **I. RESPONSE TO RESTRICTION REQUIREMENT**

Claims 9-17 stand withdrawn as being directed to a non-elected invention. Claims 9-17 are canceled without prejudice or disclaimer to the filing of a divisional application directed to the subject matter of these claims.

Applicant affirms the election of the invention of claims 1-8 for prosecution on the merits.

## **II. THE CLAIMED INVENTION**

The claimed invention is directed to electronic equipment capable of easily executing desired details of the control with respect to a desired control object without performing a troublesome switch operation (e.g., see specification at page 4, lines 19-23).

For example, independent claim 1 exemplarily defines an electronic equipment which includes a display unit configured to display a first symbol indicating a control object and a second symbol indicating details of a control in a predetermined display position, respectively, a selection unit configured to select at least one of the first and the second symbols displayed on the display unit in response to an instruction operation, a movement unit configured to move the display position of the selected symbol in response to a movement operation, and a control unit configured to execute the details of the control corresponding to the second symbol with respect to the control object

corresponding to the first symbol in response to an execution operation, wherein the electronic equipment includes a vehicle mounted acoustic apparatus.

### **III. THE PRIOR ART REJECTIONS**

A. Claims 1-4 stand rejected under 35 U.S.C. § 102(B) as being anticipated by Scott.

The Examiner alleges that Scott discloses all of the features of the claimed invention. The Examiner alleges that Scott, at column 16, lines 57-67, discloses all of the features of independent claim 1.

While Applicant submits that all of the claims are patentable over the prior art of record, to expedite prosecution, claim 1 has been amended to define more clearly and particularly the features of the claimed invention. Hence, Applicant respectfully submits that there are features of the claimed invention which are not disclosed or suggested by Scott. Therefore, Applicant traverses this rejection.

For example, Scott discloses that, in a workspace, a document icon can be dragged to other icons representative of functional devices (e.g., a printer) and appliances or special icons that know how to read and interpret the data carried by the document (e.g., see Scott at column 16, lines 48-53). For example, Scott discloses that a letter object or other document object can be dragged to and dropped upon a business card object to invoke a mailing operation to the address contained within the business card. Scott discloses that, if the address is an internet address or other network address, the document can be transmitted via the network medium to the specified address (e.g., see Scott at column 16, lines 55-61).

However, Applicant respectfully submits that Scott does not disclose or suggest that electronic equipment according to the claimed invention, wherein the electronic equipment includes a vehicle mounted acoustic apparatus.

Thus, Applicant respectfully submits that there are features of the claimed invention which clearly are not disclosed or suggested by Scott.

For the foregoing reasons, Scott does not disclose or suggest all of the features of the claimed invention. Therefore, the Examiner is requested to reconsider and withdraw this rejection and to permit claims 1-4 to pass to immediate allowance.

**B.** Claim 5 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Scott in view of Astala.

The Examiner alleges that the combination of Scott and Astala disclose or suggest all of the features of the claimed invention. Applicant respectfully submits, however, that there are features of the claimed invention which are not disclosed or suggested by Scott and Astala, either individually or in combination. Therefore, Applicant traverses this rejection.

Applicant submits that Astala does not make up for the deficiencies of Scott, as described above. Thus, Applicant submits that claim 5 is patentable by virtue of its dependency from claim 1, as well as for the additional features recited therein.

For example, claim 5 recites, *inter alia*, that “*the selection unit selects at least one of the first and the second symbols when the display screen is touched for a predetermined time period or longer in the display position of the symbol to be selected*” (emphasis added).

That is, the claimed invention can distinguish between an instantaneous touching of the display screen and a selection of at least one of the first and the second symbols when the display screen is touched.

In comparison, the Examiner relies on Astala for the teaching of a touch screen in which the location and duration of an object touching the screen are detected to simulate a mouse click of the left button or a mouse click of the right button.

Astala does not contemplate, however, distinguishing between an instantaneous touching of the display screen and a selection of at least one of the first and the second symbols when the display screen is touched, according to the claimed invention.

Thus, claim 5 would not have been obvious from Scott and Astala, either individually or in combination.

For the foregoing reasons, Scott and Astala, either individually or in combination, do not disclose or suggest all of the features of the claimed invention. Therefore, the Examiner is requested to reconsider and withdraw this rejection and to permit claim 5 to pass to immediate allowance.

C. Claims 6 and 7 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Scott in view of Caswell.

Claim 6 is amended merely to rewrite this claim in independent form.

The Examiner alleges that the combination of Scott and Caswell disclose or suggest all of the features of the claimed invention. Applicant respectfully submits, however, that there are features of the claimed invention which are not disclosed or suggested by Scott and Caswell, either individually or in combination. Therefore, Applicant traverses this rejection.

For example, independent claim 6 recites, *inter alia*, that “*a light sensor configured to detect an irradiation position in response to a light beam with which a display screen of the display unit is irradiated*” (emphasis added).

According to the claimed invention, the display screen is irradiated with a light beam and a light sensor detects an irradiation position in response to the light beam. Thus, the light sensor detects light irradiated onto the display screen, not light emitted from the display screen, as alleged by the Examiner.

In comparison, as the Examiner points out, Caswell discloses a light pen which includes a light sensor configured to detect irradiation from the display unit. That is, in Caswell, the light pen includes the light sensor and the light that is detected is the light from the display unit.

On the contrary, according to the claimed invention, a light beam irradiates the display unit. That is, the light that is being detected by the light sensor is the light being irradiated onto the display unit, not the light being emitted from the display unit.

Thus, Caswell clearly does not make up for the deficiencies of Scott. Accordingly, Applicant submits that claim 6 would not have been obvious from Scott and Caswell, either individually or in combination.

With respect to claim 7, Applicant submits that claim 7 also would not have been obvious from Scott and Caswell, either individually or in combination, by virtue of its dependency from claim 6, as well as for the additional features recited therein.

For example, claim 7 recites, *inter alia*, that:

*wherein the selection unit selects at least one of the first and the second symbols in response to the instruction operation in which the display screen is irradiated with the light beam in the display position corresponding to the first or the second symbols to be selected, and*

*wherein the movement unit moves the display position of the selected symbol in response to the movement operation in which the light beam being moved on the display screen (emphasis added).*

As mentioned above, contrary to the claimed invention, Caswell merely discloses a light pen which includes a light sensor configured to detect irradiation from the display unit. That is, in Caswell, the light pen includes the light sensor and the light that is detected is the light emitted from the display unit.

Thus, Caswell clearly does not make up for the deficiencies of Scott. Accordingly, Applicant submits that claim 7 would not have been obvious from Scott and Caswell, either individually or in combination.

For the foregoing reasons, Scott and Caswell, either individually or in combination, do not disclose or suggest all of the features of the claimed invention. Therefore, the Examiner is requested to reconsider and withdraw this rejection and to permit claims 6 and 7 to pass to immediate allowance.

**D.** Claim 8 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Scott in view of Astala, and further in view of Caswell.

The Examiner alleges that the combination of Scott, Astala, and Caswell, disclose or suggest all of the features of the claimed invention. Applicant respectfully submits, however, that there are features of the claimed invention which are not disclosed or suggested by Scott, Astala, and Caswell, either individually or in combination. Therefore, Applicant traverses this rejection.

Applicant submits that Astala does not make up for the deficiencies of Scott and Caswell, as described above with respect to claims 6 and 7, from which claim 8 depends.

Thus, Applicant submits that claim 8 is patentable by virtue of its dependency from claims 6 and 7, as well as for the additional features recited therein.

For example, claim 8 recites, *inter alia*, that “*the selection unit selects at least one of the first and the second symbols when the display screen is irradiated with the light beam for a predetermined time period or longer in the display position of the symbol to be selected*” (emphasis added).

As mentioned above, Scott and Caswell clearly do not disclose or suggest irradiating the display screen with a light beam, as claimed.

Moreover, Astala clearly does not make up for the deficiencies of Scott and Caswell, since Astala also does not disclose or suggest irradiating the display screen with a light beam, as claimed. Indeed, Astala is not even relied upon for the teaching of irradiating the display screen with a light beam.

Instead, the Examiner merely relies on Astala for the teaching of a touch screen in which the location and duration of an object touching the screen are detected to simulate a mouse click of the left button or a mouse click of the right button.

Thus, Applicant submits that Scott, Astala, and Caswell, either individually or in combination, clearly do not disclose or suggest all of the features of the claimed invention.

Moreover, as a matter of law, Applicant respectfully submits that the Examiner has not established a *prima facie* case of obviousness with respect to claim 8, since the Examiner has not properly established or identified how each of the elements of the claims are disclosed or suggested by the alleged combination of Scott, Astala, and Caswell, or for the matter, the requisite motivation for making such a combination of these three references.



For the foregoing reasons, Scott, Astala, and Caswell, either individually or in combination, do not disclose or suggest all of the features of the claimed invention. Therefore, the Examiner is requested to reconsider and withdraw this rejection and to permit claim 8 to pass to immediate allowance.

#### **IV. NEW CLAIMS**

New claims 18-27 are added to provide more varied protection for the present invention, as exemplarily described in the original specification and Figures of the present application.

For example, new claims 26 and 27 are added to define the invention using means-plus-function language under 35 U.S.C. § 112, sixth paragraph, in order to provide protection for the specific arrangement of elements disclosed in the original specification and drawings (and then “reasonable” equivalents under 35 U.S.C. § 112, sixth paragraph).

Applicants submit that claims 18-27 are patentable over the prior art of record for somewhat similar reasons as those set forth above, as well as for the additional features recited therein. The prior art of record does not disclose or suggest the claimed combinations of elements, as recited by claims 18-27.

Therefore, the Examiner is requested to permit claims 18-27 to pass to immediate allowance.

#### **V. FORMAL MATTERS**

The Examiner is requested to acknowledge receipt of and approve the formal drawings filed on November 5, 2003.

## VI. CONCLUSION


In view of the foregoing, Applicant submits that claims 1-8 and 18-27, all the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

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